





# KENTUCKY LEGISLATURE

## IN SENATE.

### Evening Session.

Tuesday, Mar. 7, 1854.

#### SPECIAL ORDERS.

The Senate took up the bill to amend the 38th chapter of the Revised Statutes, entitled "Free-  
The Senate took up the bill from the H. R. to amend the 5th article, entitled, "The sale of land and slaves of married women," of chapter 86, of the Revised Statutes; amended and passed.

#### LUNATIC ASYLUM AT LEXINGTON.

The Senate took up the bill from the H. R. for the benefit of the Lunatic Asylum at Lexington, and on motion, said bill was committed to the committee on Finance, with instructions to report it at 10 o'clock to-morrow.

A message was received from the Governor, by Mr. Green, Assistant Secretary of State, transmitting Dr. Samuel A. Mearns, of Lexington, as Superintendent of the Western Lunatic Asylum at Hopkinsville, the rules were dispensed with, and the nomination confirmed.

#### HOUSE BILL.

An act for the benefit of J. M. Oldham, of Hancock county; passed.

#### MESSAGE FROM THE H. R.

A message was received from the H. R. announcing that they had passed their amendments to a bill from the Senate fixing the time of holding the several Circuit Courts in the 2d Judicial District, and that they had appointed a committee of conference and asking the appointment of a similar committee on the part of the Senate.

Messrs. McFARLAND and HAY were appointed said committee on the part of the Senate.

#### RECONSIDERATION.

Mr. McFARLAND moved to reconsider the vote by which the Senate rejected a joint resolution passed by the H. R. in relation to a settlement with the present Keeper of the Penitentiary. After some discussion, in which Messrs. McFARLAND, HOGAN, BRADLEY, D. HOWARD SMITH and others took part, the motion to reconsider prevailed—yeas, 20; nays, 55.

Mr. McFARLAND offered an amendment, which was rejected.

The question was then taken on the passage of the resolution, and it stood thus—yeas, 13; nays, 11.

The SPEAKER decided that as the resolution contemplated the acquisition of property on the part of the State, it required a constitutional majority of all elected to each branch of the General Assembly to pass it.

Mr. WOODSON took an appeal from the decision of the chair.

The question was then taken: "Shall the decision of the chair stand as the decision of the Senate?" and it was decided in the affirmative—yeas, 9; nays, 16.

#### COMMITTEE ON EXECUTIVE AFFAIRS.

Mr. WADSWORTH, from the above committee, to whom was referred the nominations of John P. Campbell, Sr., John C. Noble, D. R. Cook, Daniel Case and John O. Crofton, to be Managers of the Western Lunatic Asylum at Hopkinsville, reported the same with the opinion of the committee that said nominations should be confirmed.

The question being taken, they were unanimously confirmed.

#### HOUSE BILL.

An act for the benefit of the Judges of the Ohio County Court; passed.

#### HOUSE OF REPRESENTATIVES.

### Evening Session.

Tuesday, March 7, 1854.

#### SENATE BILLS.

A bill for the benefit of Thomas Terrill, Sheriff of Ballard county; passed.

A bill for the benefit of Richard L. Smith, of Casey county; passed.

A bill for the benefit of C. D. Jackson, late sheriff of Casey county; passed.

A bill for the benefit of the Trustees of school district No. 27, in Pulaski county; passed.

A bill for the benefit of D. K. Bash, deputy sheriff of Hickman county; passed.

A bill for the benefit of the sheriff of Grant county; passed.

A bill for the benefit of Peter Stephens, of Monroe county; passed.

A bill for the benefit of the city of Maysville, amending its charter; passed.

A bill changing the terms of the Circuit Court for Carroll and Gallatin counties; passed.

An act in relation to the Regular Baptist Church in Hopkins county; passed.

A bill for the benefit of Mr. Carnell, in Fleming county; passed.

A bill incorporating Bethel Encampment No. 29, I. O. F., in Christian county; passed.

A bill concerning the Auditor's office—allowing an additional salary of \$1,000 for clerk hire, per annum; ordered to the third reading.

Mr. ROPE offered an amendment allowing \$500 for clerk hire, by way of engrossing order, which was adopted.

Mr. SILVERTOOTH offered an amendment increasing the annual salary of the Superintendent of Public Instruction, the Secretary of State and Assistant Secretary, \$200 each.

Mr. BUSH moved to strike out "Superintendent of Public Instruction," and insert "Superintendent of Public Instruction," and the bill was ordered to have its third reading on to-morrow at 12 o'clock.

A bill for the benefit of R. Logan Wickliffe, amended, on motion of Mr. LEE, and amended, the bill passed.

A bill to regulate the spring terms of the Circuit Courts in the 1st Judicial district; passed.

A bill for the benefit of John Fullenwider, of Shelby county; passed.

This bill originated in the Senate, was amended in the House, the Senate disagreed to the amendment. The question here, then, is whether this House will insist upon or recede from its amendments.

After a few remarks from Messrs. DILLMAN, SPEAKER (Whitesmith) and D. M. GRIF-  
FITH, the question was taken, and the House insisted upon their amendment, and a committee of conference was appointed on the part of this House to act in conjunction with a similar committee on the part of the Senate.

A bill to incorporate the Lafayette Female Institute; passed.

A bill to incorporate the Princeton Female Institute; passed.

A bill to exempt the same property from militia fines as is now exempt from execution; passed.

A bill to incorporate the North Kentucky Agricultural and Mechanical Association; passed.

A bill to incorporate the Flat Creek Coal Company of Hopkins county; passed.

A bill giving the Boyle, Washington and Scott County Courts power to levy a tax on dogs.

Mr. GOGGIN moved to extend the provisions of the bill to Mason county; adopted.

Mr. HUNTER offered an amendment with regard to the county of Fayette; adopted.

Messrs. HANSON and CRUPPER opposed the bill and amendments.

The amendments were adopted and bill passed.

Mr. ANDERSON moved a reconsideration of the vote just taken, but the House, on motion of Mr. SILVERTOOTH, laid the motion on the table.

A recess was taken until 7 o'clock.

— Night Session. —  
Tuesday, March 7, 1854.

An act authorizing the General Council of the city of Louisville to obtain the possession of Bear Grass creek; passed.

An act incorporating the Foster Turnpike Company in Breckenridge county; passed.

An act incorporating the Perryville and Steam Mill Turnpike Company; passed with an amendment.

An act supplemental to the act incorporating the Louisville and Memphis Railroad Company; passed.

Same from same—A bill to attach a portion of Warren county to the county of Butler.

Mr. WOOLSEY advocated the passage of the bill.

Mr. RODES opposed it, and moved to lay the bill on the table, which motion was adopted.

Some from same—bill to attach a portion of Shelby county to the county of Franklin; laid on the table.

Same from same—A bill for the benefit of Turner Wilson; passed.

Same from same—A bill to change the boundary between the counties of Shelby and Oulton.

After some remarks from Mr. TAYLOR in opposition to, and from Mr. J. W. GRIFFITH in favor of the bill, it was laid upon the table.

Same committee to whom was referred a petition from sundry citizens of Wayne county praying that a law be passed preventing the hunting with hounds in said county, reported the same back with a resolution that it ought to be rejected; carried in.

Same committee to whom was referred the petition of James Logan and Samuel Frazier, praying to be added to the county of Laurel, reported the same back with a resolution that it ought to be rejected; carried in.

Same committee—A bill to provide for the sloping of dams on Licking river; passed.

Same committee—A bill to repeal all acts passed at the present session of the General Assembly relating to the limits of the town of Hopkinsville; passed.

Same committee—A bill to divide Justice's District No. 1, in Bath county, and to attach District No. 7, in said county; passed.

Same committee—A bill to prevent those owning land from driving stock in the Mississippi river between the town of Hickman and the Tennessee river; passed.

Same from same—A bill to regulate the sale on manufactured tobacco; passed.

Same from same—A bill for the benefit of the widows of Franklin.

After a few remarks from Mr. FARISH in favor of, and from Mr. MOREHEAD in opposition to, the bill, the latter gentleman moved to lay it on the table—yeas, 12; nays, 9.

Mr. MOREHEAD—Judiciary—A bill for the benefit of the owners of slaves with a constitutional amendment.

After an attack from Messrs. CRUPPER, HICKMAN, REASOR, KENDALL and M. REHEID on the adoption of an amendment to the bill passed.

Same from same—A bill to incorporate the Getzer Mining Company; passed.

Same from same—A bill incorporating the town of Boston, in Whitley county; passed.

Same from same—A bill to amend the act incorporating the town of Union, in Boone county; passed.

Some committee—A bill for the benefit of Faneuil Hall, of Caldwell county (on a bill of the bill reported yesterday for the same purpose, and which was rejected); passed.

Some committee—A bill amending the penal laws of this commonwealth so as to allow fines against certain commoners in certain cases, with an amendment, which was adopted, and after a few remarks from Messrs. HAUSER, MOREHEAD, and M. JOHNSON, the bill passed.

Mr. WOODSON, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Hart county praying to be attached to the county of Laurel, asked to be discharged from its further consideration, and it was ordered to a select committee.

And then the Senate adjourned.

## IN SENATE.

Wednesday, Mar. 8, 1854.

Prayer by the Rev. J. H. Linn of the Methodist Church.

— ROLL CALLS OF CERTAIN OFFICERS. —  
Mr. CALDWELL—A bill to increase the salaries of certain officers.

[Increases the salary of Superintendent of Public Instruction to \$1,000; Secretary of State to \$1,000; Assistant Secretary of State \$500; Quartermaster General \$300; and Adjutant General \$250.]

The question being taken, the bill was passed; yeas 20, nays 6.

— RESOLUTIONS. —  
Mr. SPENCER offered the following resolution, which was adopted, viz:

Resolved, That the Public Printer forward to each Senator 200 copies of the titles and synopsis of the bills passed during the present session of the General Assembly.

— REPORT FROM A STANDING COMMITTEE. —  
Mr. SPENCER—Judiciary—A bill from the H. R. to amend the license laws, reported the same with a substitute for said bill; substitute adopted and bill passed.

— LEAVE TO DRIVE IN A BILL. —  
Mr. STONE—A bill to incorporate the Western Coal and Iron Company.

— LUNATIC ASYLUM AT LEXINGTON. —  
Mr. BLAIN—Finance—A bill from the H. R. for the benefit of the Lunatic Asylum at Lexington.

[Appropriates \$17,500 for rebuilding and repairing the institution.]

After a few remarks from Messrs. REASOR, HAY and GILGORY, the bill passed without a dissenting voice.

A bill for the benefit of J. P. Curtis & Co; passed—yeas 61, nays 6.

A bill incorporating the German Insurance Company at Louisville; passed.

A bill amending the act incorporating the Society of the Bethel Association for the Missionary, Bible and Educational work; passed.

A bill incorporating the Bethel High School at Russellville; passed.

A bill to incorporate the Layfayette Female Institute; passed.

A bill to incorporate the Princeton Female Institute; passed.

A bill to exempt the same property from militia fines as is now exempt from execution; passed.

A bill to incorporate the North Kentucky Agricultural and Mechanical Association; passed.

A bill to incorporate the Flat Creek Coal Company of Hopkins county; passed.

A bill giving the Boyle, Washington and Scott County Courts power to levy a tax on dogs.

Mr. GOGGIN moved to extend the provisions of the bill to Mason county; adopted.

Mr. HUNTER offered an amendment with regard to the county of Fayette; adopted.

Messrs. HANSON and CRUPPER opposed the bill and amendments.

The amendments were adopted and bill passed.

Mr. ANDERSON moved a reconsideration of the vote just taken, but the House, on motion of Mr. SILVERTOOTH, laid the motion on the table.

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Same committee—A bill to provide for the sloping of dams on Licking river; passed.

Same committee—A bill to repeal all acts passed at the present session of the General Assembly relating to the limits of the town of Hopkinsville; passed.

Same committee—A bill to divide Justice's District No. 1, in Bath county, and to attach District No. 7, in said county; passed.

Same committee—A bill to prevent those owning land from driving stock in the Mississippi river between the town of Hickman and the Tennessee river; passed.

Same from same—A bill to regulate the sale on manufactured tobacco; passed.

Same from same—A bill for the benefit of the widows of Franklin.

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Some committee—A bill amending the penal laws of this commonwealth so as to allow fines against certain commoners in certain cases, with an amendment, which was adopted, and after a few remarks from Messrs. HAUSER, MOREHEAD, and M. JOHNSON, the bill passed.

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And then the Senate adjourned.

An act to incorporate the Clinton Lyceum, in Hickman county; adopted.

An act for the benefit of the Sheriff of Pendleton county; passed.

An act to authorize the Marshall county court to change the State road in said county; passed.

An act for the incorporation of voluntary associations; passed.

An act for the benefit of John Dillard, a Justice of the peace in Hardin county; passed.

An act to authorize the appointment of Bank commissioners.

Said bill was amended, and the further consideration of the same was postponed until to-morrow at 10 o'clock.

An act to amend the charter of the town of Richmond; passed.

An act to amend the act to establish the Richmond fire company; passed.

An act to amend an act in relation to the ferry across the Mississippi river at Columbus, in Hickman county; passed.

An act to change the State road in Grant county; passed.

An act authorizing the Grant county court to lay an additional poor house; passed.

An act to change the time of holding a term of the Harrison circuit court; passed.

An act authorizing the sale of the Methodist Episcopal Church in the town of Glasgow; passed.

An act empowering the trustees of the Germantown Parsonage of the Methodist Episcopal Church South; passed.

An act supplemental to an act to amend the Code of Practice in civil cases; referred to the committee on the Judiciary.

An act further to regulate the two lunatic asylums; postponed until to-morrow at half past 10.

An act to authorize the Tug Fork navigation company to improve the navigation of the Tug Fork; passed.

An act to incorporate the Brighton coal company; passed.

An act to amend the act authorizing the appointment of persons to serve process in the Justices court in the city of Louisville and for other purposes; passed.

An act to amend the law regulating the fees and duties of the Notaries and Measures in the county of Jefferson; passed.

An act to amend the 7th article of the 27th chapter of the revised statutes, entitled Courts; passed.

An act to incorporate the Henderson and Evansville telegraph company; passed.

An act to incorporate Carroll Lodge No. 145, in Nicholas county; passed.

An act to incorporate St. Andrews Lodge No. 15, in Harrison county; passed.

An act to incorporate Buena Vista Division, No. 135, Sons of Temperance, in Owen county; passed.

An act to allow a Police Judge and Town Marshal in Monterey, Owen county; passed.

An act to incorporate the Harmony Church in Owen county; passed.

An act to incorporate a company for improving the navigation of the Tug Fork by locks and dams; passed.

An act to change the place of voting in election district, No. 6, in Breckenridge county; passed.

An act to repeal the law appointing a treasurer for Barren county; passed.

An act authorizing the county court to make an appropriation to repair the Little Suag road in Harlan county; passed.

An act to change the time of holding the county court of Union county; passed.

An act to change the place of voting in election district No. 2, in Bath county; passed.

An act authorizing further time to collect the fees of the clerks of the Nicholas and Pendleton county circuit courts; passed.

An act for the benefit of Turner Wilson; passed.

An act for sloping dams on Lick river; passed.

An act to repeal all laws passed during the present session of the General Assembly changing the limits of the town of Hopkinsville, in Christian county; passed.

An act to prevent trespasses on land in the Mississippi bottom between the town of Hickman and the Tennessee river; passed.

An act to incorporate the Althaus Literary Society of Centre College; passed.

An act for the benefit of the owners of slaves, passed.

An act to incorporate the Geiger mining company; passed.

An act to incorporate the town of Boston, in Whitley county; passed.

An act to amend an act to incorporate the town of Union, in Boone county; passed.

of the Revised Statutes in relation to studs, jacks and bulls.

Mr. KING advocated it, and it passed.

Same from same—A bill for the benefit of the Sheriff of Barren county; passed.

Same from same—A bill to facilitate the collection of the revenue; passed.

Same from same—A bill for the benefit of John Caudell, of Letcher county; passed.

Same from same—A bill to change the time of paying the taxes into the treasury, in compliance with recommendation of the Governor in his message.

The bill changes the time from the 15th January to the 15th December; passed.

Same from same—A bill to increase the compensation of Assessors and to pay Sheriffs for reporting tax lists.

[Gives Assessors 10 cents for each list of taxable property, to be paid as heretofore; and gives Sheriffs 25 cents for each list of taxable property he may report, and which the Assessor failed to report for taxation that year; passed.]

Same from same—A bill for the benefit of Robert Morrow and others of Montgomery; passed.

Mr. DUNLAP moved a reconsideration of the vote by which the bill in relation to studs, jacks and bulls (above reported) was passed; carried.

[The bill repeals so much of the Revised Statutes as requires County Court Clerks to affix their seals of office to licenses of studs, jacks, and bulls.]

Mr. DUNLAP offered the following as an additional section to the bill:

"That so much of the Revised Statutes as requires the license for standing as stud horse, jack or bull, charged to be an amount equal to the greatest sum charged for the service of the same, whether that sum be for the season or insurance, be repealed, and that hereafter the license charged shall be the highest price charged for the season of said animals and no more."

After a lengthy discussion, Mr. HAUSER moved to strike out in the amendment or Mr. DUNLAP all after the word "repealed," (the effect of which, if finally adopted, is to repeal all specific tax upon the aforesaid animals.)

Mr. KENNEDY sustained the motion of Mr. H., and the question being taken it prevailed; yeas 43; nays 43.

The amendment of Mr. DUNLAP, as amended, was then adopted; yeas 41; nays 33.

The bill was then ordered to have its third reading on to-morrow at 10 o'clock.

Same from same—A bill authorizing certain cases to be tried in the Franklin Circuit Court; rejected.

Mr. HASELWOOD—from same committee—A bill to amend the Revised Statutes in relation to peddling; passed.

— SPECIAL ORDERS. —  
A bill for the benefit of John Fullenwider, of Shelby county.

After a few remarks from Messrs. TAYLOR and T. L. JONES in favor of the bill, the question was taken on its final passage, and it was decided in the affirmative.

— REPORT FROM STANDING COMMITTEES—RESERVED. —  
Mr. LEWIS—committee on Internal Improvements—A Senate bill to incorporate the Logan county Railroad company, with sundry amendments, which were concurred in.

Mr. MUSSELMAN hoped that the bill would be postponed until he could have an opportunity to examine it. It might affect very seriously the operations of the Louisville and Nashville Railroad company.

Messrs. BURKS and LEWIS opposed the proposition, basing, in their opinion, tantamount to its defeat.

Messrs. REASOR, MUSSELMAN and HANSON, opposed that provision of the bill giving







